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MARLOU CORP D/B/A CLUB PLATINUM AND
RITA CAPOVILLA

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LINDA WHEELER and KARISSA ANN
HUGH, individually, and on behalf of similarly
situated individuals,

Plaintiffs,

v.

MARLOU CORPORATION d/b/a CLUB
PLATINUM, a Nevada corporation, and RITA
CAPOVILLA,

Defendants.

Case No. 2:23-cv-01556-APG-BNW

**STIPULATION AND (PROPOSED)
ORDER TO STAY DISCOVERY
PENDING MEDIATION**

[FIRST REQUEST]

Plaintiffs LINDA WHEELER and KARISSA ANN HUGH, and Defendant MARLOU CORPORATION d/b/a CLUB PLATINUM and RITA CAPOVILLA, through their respective counsel, hereby stipulate and agree to stay discovery pending mediation.

Courts have “broad discretion in managing their dockets.” *Byars v. Western Best, LLC*, No. 2:19-cv-1690-JCM-DJA, 2020 WL 8674195, at *1 (D. Nev. Jul. 6, 2020) (citing *Clinton v. Jones*, 520

1 U.S. 681, 706–07 (1997)). In exercising this discretion, “court are guided by the goals of securing the
2 just, speedy, and inexpensive resolution of actions.” *Id.*; *see also* Fed. R. Civ. P. 1. This broad
3 discretion applies to discovery, including whether to allow or deny discovery. *See e.g., Little v. City*
4 *of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). The parties agree that good cause exists to stay discovery
5 given that the parties are in active settlement discussions and are in the process of scheduling formal
6 mediation in an attempt to pursue a full resolution of this matter. *See Schrader v. Wynn Las Vegas,*
7 *LLC*, No. 2:19-cv-02159-JCM-BNW, 2021 WL 4810324, at *4 (D. Nev. Oct. 14, 2021); *Aristocrat*
8 *Techs., Inc. v. Light & Wonder, Inc.*, No. 2:24-cv-00382-GMN-MDC, 2024 WL 2302151, at *1 (D.
9 Nev. May 21, 2024). Staying discovery here will also avoid duplicating discovery efforts and help
10 avoid unnecessary fees associated with pursuing discovery before the mediation. Consistent with the
11 foregoing, the parties agree that they will be in a better position to discuss the necessary scope of
12 discovery that will be needed, if any, and the amount of time necessary for both sides to gather
13 evidence if mediation proves to be unsuccessful.

14 Therefore, the Parties hereby agree and stipulate that:

15 1. All discovery deadlines in this action shall be stayed for a period of sixty (60) days in
16 order for the parties to engage in mediation. The parties thus request discovery be stayed until May
17 19, 2025, in order to facilitate mediation efforts and to divert time and resources to same.

18 2. Should mediation result in resolution, the parties will notify the Court accordingly.
19 Should mediation not result in resolution, no later than May 19, 2025, the parties agree to submit a
20 stipulation setting forth new proposed deadlines for the close of discovery, dispositive motions, the
21 pretrial conference, and trial.

22 3. The parties represent that they would expect to request an additional sixty (60) days to
23 complete discovery if mediation is not successful.

24 4. This is this first request for a limited stay of discovery and a first request related to
25 scheduling order.

26 5. The Parties agreed that pursuant to Local Rule 26-3, a motion or stipulation to extend
27 a deadline set forth above must be received by the Court no later than 21 days before the expiration of
28

1 the subject deadline, and a request made within 21 days of the deadline must be supported by a
2 showing of good cause.

3 6. The Parties aver that good cause exists here because the parties are actively seeking to
4 resolve the case and are attempting to do so by pursuing formal mediation.

5 7. The Parties make this stipulation in good faith and not for the purpose of delay.

6 Dated: March 21, 2025

Dated: March 21, 2025

7 Respectfully submitted,

Respectfully submitted,

8 /s/ Matthew Thomson



9 Matthew Thomson
10 Lichten & Liss-Riordan, PC

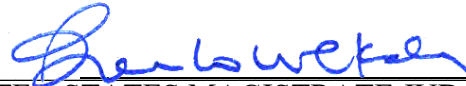
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13 Attorneys for Plaintiffs
14 LINDA WHEELER and
KARISSA ANN HUGH

15 **IT IS SO ORDERED.**



UNITED STATES MAGISTRATE JUDGE

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18 Dated: March 25, 2025
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